

U.S. Department of Energy

Washington, D.C.

PAGE CHANGE

DOE O 451.1 Chg 1

10-26-95

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT
COMPLIANCE PROGRAM

1. PURPOSE. To transmit revised pages to DOE O 451.1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, of 9-11-95.
2. EXPLANATION OF CHANGE. Based on a decision by the Directives Management Board, Departmental Safety Orders, and other selected Orders, will reflect no expiration date to clarify that they will remain in effect until superseded or replaced. Therefore, these Orders will show only an Approval Date and Review Date. The Directives System review cycle is discussed in DOE M 251.1-1, DIRECTIVES SYSTEM MANUAL, of 10-6-95.
3. FILING INSTRUCTIONS.
 - a.

<u>Remove Pages</u>	<u>Dated</u>	<u>Insert Pages</u>	<u>Dated</u>
1 and 2	9-11-95	1	10-26-95
		2	9-11-95
 - b. After filing the attached pages, this transmittal may be discarded.

BY ORDER OF THE SECRETARY OF ENERGY:



ARCHER L. DURHAM
Assistant Secretary for
Human Resources and Administration

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Office of Human Resources and
Administration

U.S. Department of Energy

Washington, D.C.

ORDER

DOE O 451.1

Approved: 09-11-95
Review Date: 09-11-97

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT
COMPLIANCE PROGRAM

Chg 1: 10-26-95

1. OBJECTIVE.

The purpose of this Order is to establish DOE internal requirements and responsibilities for implementing the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality Regulations Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and the DOE NEPA Implementing Procedures (10 CFR part 1021). (Hereinafter, the latter two will be referred to as "the Regulations.") The goal of establishing the requirements and responsibilities presented here is to ensure efficient and effective implementation of DOE's NEPA responsibilities through teamwork. A key responsibility for all participants is to control the cost and time for the NEPA process while maintaining its quality.

2. CANCELLATION. DOE 5440.1E, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, of 11-10-92.

3. APPLICABILITY. This Order applies to DOE Elements. Although contractors may assist in the Department's NEPA implementation, the legal obligation to comply with NEPA belongs to DOE. This Order does not apply to operations conducted under the authority of the Director, Naval Nuclear Propulsion Program, as described in Public Law 98-525.

4. REQUIREMENTS.

In addition to requirements established in NEPA and the Regulations, DOE's NEPA Compliance Program shall include:

- a. A system of DOE NEPA Compliance Officers.
- b. Internal scoping procedures for environmental assessments and environmental impact statements that include development of a schedule. For an environmental impact statement, the schedule, absent extraordinary circumstances, will provide for completion of a final environmental impact statement within 15 months of the issuance of the Notice of Intent.
- c. NEPA quality assurance plans and public participation plans.
- d. Annual NEPA planning summaries. An annual NEPA planning summary will describe briefly: (1) the status of ongoing NEPA compliance activities, (2) any environmental assessments expected-to be prepared in the next 12 months, (3) any environmental impact statements expected to be prepared

Vertical line denotes change.

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in the next 24 months, and (4) the planned cost and schedule for completion of each NEPA review identified. Every 3 years starting with 1995, the annual NEPA planning summary for each Field Organization will include an evaluation of whether a site-wide environmental impact statement would facilitate future NEPA compliance efforts.

- e. A DOE NEPA Document Manager for each environmental impact statement and environmental assessment.
- f. A system for reporting lessons learned and encouraging continuous improvement.
- g. Tracking and annually reporting progress in implementing a commitment for environmental impact mitigation that is essential to render the impacts of a proposed action not significant, or that is made in a record of decision.

5. RESPONSIBILITIES.

- a. Each Secretarial Officer and Head of a Field Organization shall, for matters under the office's purview:
 - (1) Establish a NEPA compliance program and use the NEPA process early in project and program planning to consider environmental factors along with other relevant information.
 - (2) Maintain a DOE NEPA Compliance Officer for the office and designate a DOE NEPA Document Manager at the start of each environmental assessment and environmental impact statement.
 - (3) Ensure that internal scoping procedures, a quality assurance plan and a public participation plan are prepared for the office.
 - (4) Include in new contracts and grants a provision that the awardee may not undertake on DOE's behalf an action that is subject to NEPA until DOE has notified the awardee that DOE has satisfied applicable NEPA requirements.

Incorporate NEPA milestones in project planning documents.

 - (6) Incorporate NEPA compliance status information in internal budget review documents
 - (7) Submit an annual NEPA planning summary to the Assistant Secretary for Environment, Safety and Health by January 31 of each year and make it available to the public.
 - (8) Determine that an environmental assessment is appropriate or that an environmental impact statement is appropriate or required.